MASTER AND SERVANT—INJURY TO SERVANT—DUTY OF INSPECTION.—JOHNSTON V. SYRACUSE LIGHTING CO., 86 N. E. (N. Y.) 539.—*Held,* that it is the duty of a lineman, before going onto the cross-arm of an electric light pole to fix wires, to inspect the cross-arm as to its being strong and sound enough to hold him.

The master personally owes to his servants the duty of using ordinary care and diligence to provide for them a reasonably safe place to work, and is bound to inspect it from time to time, and to use ordinary care to discover and to repair defects in it. *Dixon v. Western Union Tel. Co.,* 71 Fed. 143. It is held that a telephone company which undertakes to inspect its poles, as most companies do, will be liable for injuries to a lineman by the fall of the pole if it neglects to use reasonable care to see that the pole is safe. *McGuire v. Bell Tel. Co.,* 167 N. Y. 208. But inasmuch as a servant will be presumed to have notice of, and to have assumed the risks incident to all dangers and defects, which to a person of his experience and understanding are, or ought to be patent and obvious; *Wood v. Heiges,* 83 Md. 257; it seems to be good law, as held in at least one other case similar in facts to *Johnston v. Syracuse Lighting Co., supra,* that the lineman is competent to, and should inspect the cross-arm upon which he is about to trust his weight. *Flood v. Western Union Tel. Co.,* 131 N. Y. 603.

MASTER AND SERVANT—MASTER'S LIABILITY FOR INJURIES TO SERVANT—WARNING AND INSTRUCTING SERVANT.—CLEVELAND, C., C. & ST. L. RY. CO. V. PERKINS, 86 N. E. 405 (IND.).—*Held,* that a master need not warn and instruct employees who are under no disability of dangers patent to persons of ordinary intelligence.

The general rule is that a master is not bound to give his servants notice of ordinary dangers, where they are obvious or apparent to anyone of common intelligence, well known to servant, or subject to ordinary observation. *Findlay v. Russell Wheel & Foundry Co.,* 108 Mich. 286; *Eisenberg v. Fraim,* 215 Pa. 570. One court defines an obvious danger, with reference to the character of an employment, to be one that is discoverable in the exercise of that reasonable care which persons of ordinary intelligence may be expected to take of their own safety. *Hardy v. Chicago, R. I. & P. Ry. Co.,* 115 N. W. 8. (Ia.). Another court holds that where it does not appear that there was a statutory duty to give a warning, no obligation rests upon the master to give such warning. *Toledo, St. L. & W. R. Co. v. Cross,* 127 Ill. App. 204. When the danger, however, is not so apparent to a person in the exercise of ordinary care, a master is bound to warn the servant. *Bowen, Jewell & Co. v. Adams,* 129 Ga. 688; *W. A. Gaines & Co. v. Johnson,* 32 Ky. Law Rep. 58; *Owensboro Stave & Barrel Co. v. Daugherty,* 110 S. W. 319 (Ky.).

MASTER AND SERVANT—RAILROADS—ENGINEERS—RISK ASSUMED.—PEARSALL V. NEW YORK CENT. & H. R. R. CO., 112 N. Y. SUPP. 872.—*Held,* that where an experienced locomotive engineer knew of the improper location of a semaphore, and was injured in an accident resulting therefrom, no action would lie for injuries sustained.